

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X

IN RE:

CHAPTER 11

CASABELLA CONTRACTING OF N.Y., INC.,

CASE No. 22-22205 (SHL)

DEBTOR

-----X

**ORDER FINDING FRANK PIGNATARO AS RECEIVER IN CONTEMPT OF THIS  
COURT'S ORDER, DATED MAY 4, 2022, SANCTIONING FRANK PIGNATARO AS  
RECEIVER, AND AWARDING TO DEBTOR ITS ATTORNEYS' FEES, COSTS, AND  
DISBURSEMENTS PURSUANT TO RULES 9014 AND 9020 OF THE FEDERAL  
RULES OF BANKRUPTCY PROCEDURE AND 11 U.S.C. § 105(a)**

Upon the Affirmation in Support of Motion and Exhibits of the debtor and debtor-in-possession Casabella Contracting of N.Y., Inc. (the "Debtor") by its proposed attorney, James J. Rufo, Esq. of The Law Office of James J. Rufo, dated June 9, 2022, Memorandum of Law in Support, for an Order adjudging Frank Pignataro as Receiver, liable for contempt of this Court's Temporary Restraining Order, dated May 4, 2022, pursuant to 11 U.S.C. § 105 and Federal Rules of Bankruptcy Procedure 9014 and 9020, and awarding to the Debtor its attorneys' fees, costs and disbursements pursuant to Federal Rule of Bankruptcy Procedure 9020, 11 U.S.C. § 105, and it is hereby

**ORDERED**, that Frank Pignataro as Receiver is liable for contempt of this Court's Temporary Restraining Order, dated May 4, 2022; and it is further

**ORDERED**, that sanctions are imposed against Frank Pignataro as Receiver, in the form of Attorneys' Fees, Costs, and Disbursements incurred by the Debtor for the prosecution of this motion, and it is further

**ORDERED**, that daily sanctions are imposed against Frank Pignataro as Receiver in the amount \$500.00 per day in order to compel the Receiver's compliance with the directives of the

Court's TRO, and sections 543 and 362(a) of the United States Bankruptcy Code; and it is further

**ORDERED**, that the Debtor is awarded its attorneys' fees in the sum of \$1,600.00, and that Frank Pignataro as Receiver, immediately pay the Debtor this sum within ten (10) days of the entry of this Order.

Dated: White Plains, NY  
\_\_\_\_\_, 2022

---

Honorable Sean H. Lane  
United States Bankruptcy Judge